

ASSIGNMENT 5

Textbook Assignment: "Legal," chapter 11, pages 11-10 through 11-22, and "Separations," chapter 12, pages 12-1 through 12-14.

Learning Objective: Explain rules and regulations governing misconduct and line of duty.

- | | |
|---|---|
| <p>5-1. Which of the following cases of injury resulting in loss of time require an investigative report by a fact-finding body?</p> <ol style="list-style-type: none">1. Cases of injury resulting in loss of time from duty for less than 24 hours2. Cases of injury resulting in loss of time for more than 24 hours, but not likely to result in permanent disability3. Cases of injury that may result in permanent disability4. All of the above <p>5-2. Under which of the following circumstances would a case of injury require an investigative report by a fact-finding body?</p> <ol style="list-style-type: none">1. When there is any question of the mental responsibility or mental capacity of the injured party2. The injury resulted in death3. The injury resulted from enemy action under circumstances suggesting misconduct of the member or not in line of duty4. All of the above <p>5-3. To be determined wrongful conduct, what characteristic must the action have?</p> <ol style="list-style-type: none">1. It must be intentionally incurred or result from gross negligence2. It must have been unforeseeable as the result of the act3. It must have been the indirect result of the act4. It must have been unavoidable | <p>5-4. Misconduct can never be in line of duty.</p> <ol style="list-style-type: none">1. True2. False <hr/> <p>Learning Objective: Identify procedures applicable to unauthorized absence and desertion.</p> <hr/> <p>5-5. Under which of the following circumstances will an absentee be declared a deserter?</p> <ol style="list-style-type: none">1. The facts indicate the member may have committed the offense of desertion as defined in the UCMJ2. The member has been absent without authority for 30 consecutive days3. The member is absent without authority and remains in any foreign country and requests asylum4. All of the above <p>5-6. When a member is absent from an assigned duty station, which of the following actions is completed immediately?</p> <ol style="list-style-type: none">1. Inquiring of local hospitals2. Questioning cohorts about possible whereabouts3. Inquiring of local law enforcement agencies4. Each of the above <p>5-7. What document should be completed in the case of unauthorized absences of more than 24 hours?</p> <ol style="list-style-type: none">1. Deserter/Absentee Wanted by the Armed Forces, DD Form 5532. Punitive letter of reprimand3. Nonpunitive letter of reprimand4. Record of Unauthorized Absence, NAVPERS 1070/606 |
|---|---|

- 5-8. What page of the enlisted service record should contain all the information in the Declaration of Desertion message?
1. NAVPERS 1070/613
 2. NAVPERS 1070/610
 3. NAVPERS 1070/605
 4. NAVPERS 1070/602
- 5-9. A member was on unauthorized absence for more than 24 hours. The command must prepare what form within 5 working days?
1. NAVPERS 1070/613
 2. NAVPERS 1070/606
 3. DD Form 553
 4. DD Form 458
- 5-10. What official authorizes a discharging activity to declare a deserter discharged *in absentia*?
1. CHNAVPERS
 2. CNO
 3. President
 4. Congressman
-
- Learning Objective: Determine policies and procedures applicable to powers of attorney, indebtedness, and congressional correspondence.
-
- 5-11. What are the categories of powers of attorney?
1. Limited power for certain named transactions
 2. General power of attorney
 3. Both 1 and 2 above
 4. Particular power of attorney
- 5-12. Upon what individual(s) does the responsibility for an indebtedness rest?
1. Creditor only
 2. Debtor only
 3. Creditor and debtor
 4. Debtor's CO
- 5-13. Debt collectors must comply with which of the following regulations concerning indebtedness?
1. Standards of Fairness
 2. Fair Debt Collection Practices Act
 3. *Manual of the Judge Advocate General*
 4. *Manual for Courts-Martial, United States, 1984*
- 5-14. What is the limit of information that can be furnished to creditors requesting information concerning the personal rating of a member of the naval service?
1. Verification that the member is in the naval service
 2. The member's duty station address
 3. The member's basic pay
 4. All of the above
- 5-15. A final or interim reply should be sent within how many workdays from the time a congressional inquiry reaches the action officer's desk?
1. 5 days
 2. 6 days
 3. 3 days
 4. 4 days
-
- Learning Objective: Describe policies governing officer separations.
-
- 5-16. Which of the following officials establishes criteria for separations?
1. CNO
 2. SECNAV
 3. SECDEF
 4. President
- 5-17. Officers may be terminated by which of the following means?
1. Acceptance of resignation
 2. Dismissal
 3. Dropping from rolls
 4. All of the above

- 5-18. What publication specifies the format of an unqualified resignation?
1. PAYPERSMAN
 2. MILPERSMAN
 3. OFFPERSMAN
 4. JAGMAN
- 5-19. Early separation is not authorized for which of the following reasons?
1. Attendance at night school
 2. Part-time school
 3. Courses that prepare one for a hobby
 4. All of the above
- 5-20. An officer or enlisted member of the Regular Navy has a vested right to retire voluntarily upon completion of at least how many years of active duty?
1. 20 years
 2. 25 years
 3. 28 years
 4. 30 years
- 5-21. Officers separated for cause are either physically or mentally incapable of performing their duties properly through no fault of their own.
1. True
 2. False
- 5-22. What official may determine whether an officer will be processed for dropping from the rolls, revocation of commission, termination of appointment, or such separation from the naval service as may be appropriate?
1. The officer's CO
 2. CNO
 3. CHNAVPERS
 4. SECNAV
- 5-23. In what instruction is contained detailed information and guidance for processing officers for separation because of conditions that render the continuation of officers in their present status undesirable?
1. SECNAVINST 1460.1A
 2. SECNAVINST 1920.6A
 3. SECNAVINST 2344.6E
 4. SECNAVINST 4290.1H
- 5-24. Which of the following officials, acting for the President, may dismiss an officer without court-martial in time of war?
1. CNO
 2. SECDEF
 3. SECNAV
 4. CHNAVPERS
- 5-25. What is the statutory retired age for permanently commissioned Regular officers in the grade of ensign and above?
1. 60 years of age
 2. 62 years of age
 3. 65 years of age
 4. 70 years of age
- 5-26. What publication contains conditions that must be met for placement on the temporary disability retired list (TDRL)?
1. *Disability Evaluation Manual*
 2. *Naval Military Personnel Manual*
 3. *Judge Advocate General Manual*
 4. *Navy Regulations, 1990*
- 5-27. What is the name of the pending list of all members who have been found unfit to perform the duties of their office, grade, rank, or rating?
1. Interim disability retirement list
 2. Temporary disability retired list
 3. Alternate disability retired list
 4. Separation interim retirement list

5-28. Separation orders for officers are issued by what official?

1. CHNAVPERS only
2. SECNAV only
3. CHNAVPERS or SECNAV
4. CNO

5-29. Officers who have been totally separated from the naval service are entitled to which of the following types of discharge certificates?

1. Honorable
2. General
3. Discharge Under Conditions Other Than Honorable
4. All of the above

Learning Objective: Explain the rules and regulations governing enlisted separations.

5-30. For which of the following reasons does the Navy provide for the orderly and expeditious separation of naval personnel?

1. To make sure the Navy is served by individuals capable of meeting required standards of duty, performance, and discipline
2. To maintain standards of performance and conduct through appropriate separation
3. To achieve authorized force levels and grade distributions
4. All of the above

5-31. The criteria and format for a request for hardship discharge are contained in what publication?

1. MILPERSMAN
2. OFFPERSMAN
3. ENLTRANSMAN
4. JAGMAN

5-32. A member not physically qualified by reason of physical disability means that a member is unable to perform the duties of his or her rate in such a manner as to reasonably fulfill the purpose of the member's employment on active duty.

1. True
2. False

5-33. All Fleet Reserve transfers are effective on what day of the month?

1. First
2. Thirtieth
3. Thirty-first
4. Last

5-34. Under which of the following circumstances may an effective date of transfer to the Fleet Reserve be held in abeyance?

1. Member is awaiting an administrative discharge
2. Member is in a disciplinary status
3. Both 1 and 2 above
4. Member is attending school

5-35. A fleet reservist is required to fulfill which of the following requirements?

1. Be physically examined at least once every 4 years
2. Be ready for active service in time of war or national emergency
3. Promptly answer all correspondence
4. All of the above

Learning Objective: Identify policies and procedures applicable to administrative separation (discharge).

5-36. When a member is processed for administrative separation, which of the following procedural requirements must be followed?

1. Notice only
2. Counsel only
3. Response only
4. Notice, counsel, and response

5-37. An administrative separation board consists of at least how many commissioned, warrant, or noncommissioned officers?

1. One commissioned, warrant, or noncommissioned officer
2. Two commissioned, warrant, or noncommissioned officers
3. Three commissioned, warrant, or noncommissioned officers
4. Four commissioned, warrant, or noncommissioned officers

5-38. The convening authority appoints which of the following individuals to an administrative separation board?

1. Members of the board
2. A nonvoting recorder
3. A nonvoting legal advisor
4. All of the above

Learning Objective: Describe benefits available to the service member.

5-39. What individual is responsible for making sure service members are aware of benefits provided for them and their families?

1. The member's CO
2. The member's XO
3. The member's career counselor
4. The member's immediate supervisor

5-40. What is the maximum amount of coverage of the Servicemen's Group Life Insurance?

1. \$25,000
2. \$50,000
3. \$75,000
4. \$100,000

5-41. The Veterans' Group Life Insurance (VGLI) is a 5-year, nonrenewable term coverage that has no cash, loan, paid-up, or extended values.

1. True
2. False

5-42. To obtain VGLI coverage, fill out DVA Form 29-8714 and send (a) what number of months' premium within (b) what minimum period of time?

1. (a) First month's premium
(b) 120 days
2. (a) 2 months' premium
(b) 60 days
3. (a) 3 months' premium
(b) 30 days
4. (a) 4 months' premium
(b) 120 days

5-43. A member who is found by the Administrator of Veterans Affairs to be suffering from a disability or disabilities may apply for insurance within what minimum period of time from the date that such disability was determined by the Department of Veterans Affairs (DVA)?

1. 6 months
2. 9 months
3. 12 months
4. 24 months

5-44. Totally disabled personnel may apply for any of the NSLI plans except for which of the following plans?

1. Extended
2. Endowment
3. Nonextended
4. Paid-up

- 5-45. What is the name of the DVA booklet IS-1?
1. *A Summary of Department of Veterans Affairs Benefits*
 2. *Navy Guide for Retired Personnel and Their Families*
 3. *Federal Benefits for Veterans and Dependents*
 4. *Veterans Life Insurance Benefits*
- 5-46. What agency or official determines retirees' eligibility for specific benefits?
1. DVA
 2. SECNAV
 3. Chief of Naval Operations
 4. Navy Department
- 5-47. What document contains a listing of the DVA regional offices and centers throughout the United States?
1. *Federal Benefits for Veterans and Dependents*
 2. *A Summary of Department of Veterans Affairs Benefits*
 3. *Veterans Life Insurance Benefits*
 4. *Navy Wide for Retired Personnel and Their Families*
- 5-48. On or after 1 January 1957, all members of the Armed Services of the United States performing active duty or active duty for training, including midshipmen at the Naval Academy and NROTC midshipmen come under the contributory coverage provisions of the Social Security System.
1. True
 2. False
- 5-49. What individual has the responsibility to adequately inform members of their rights and benefits under the Social Security Act?
1. CNO
 2. SECNAV
 3. Member's CO
 4. Member's career counselor
- 5-50. Individuals applying for admission to the Naval Home should be ambulatory and capable of caring for their personal needs and of cleaning their room.
1. True
 2. False

